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No. 06-839

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SUPREME COURT, U.S.

IN THE
Supreme Court of the United States

LOUISIANA HEALTH SERVICE & INDEMNITY CO.,
doing business as Blue Cross and Blue Shield of Louisiana,
Petitioner

v.

RAPIDES HEALTHCARE SYSTEM, STATE OF LOUISIANA,
ex. rel. CHARLES R. FOTI, JR., Attorney General
for the State of Louisiana, and DAUTERIVE HOSPITAL,
Respondents

ON PETITION FOR A WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE FIFTH CIRCUIT

STATE OF LOUISIANA'S OPPOSITION BRIEF

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IN THE
SUPREME COURT OF THE UNITED STATES

STATE OF LOUISIANA'S OPPOSITION TO PETITION FOR WRIT OF CERTIORARI

Respondent the State of Louisiana, *ex rel.* Charles C. Foti, Jr., Attorney General for the State of Louisiana ("the State"), respectfully submits that the petition for a writ of certiorari to review the judgment of the United States Court of Appeals for the Fifth Circuit, filed by Petitioner Louisiana Health Service & Indemnity Co., d/b/a Blue Cross and Blue Shield of Louisiana ("Blue Cross"), should be denied.

As a matter of judicial efficiency and to avoid the Court's review of duplicative arguments, the State hereby adopts the opposition brief filed by Respondent Rapides Healthcare Services and requests that the Court deny Blue Cross's petition for a writ of certiorari for the reasons discussed therein, as well as for the reasons upon which the United States Fifth Circuit Court of Appeal based its judgment in this matter. *See Louisiana Health Service & Indemnity Co. v. Rapides Healthcare System*, 461 F.3d 529 (5th Cir. 2006).

CONCLUSION

The State respectfully prays that the Court deny the petition for a writ of certiorari filed by Blue Cross.

Respectfully submitted,

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